

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SCANSOFT, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-10353-PBS
)	
VOICE SIGNAL TECHNOLOGIES, INC.,)	
LAURENCE S. GILICK, ROBERT S.)	
ROTH, JONATHAN P. YAMRON, and)	
MANFRED G. GRABHERR,)	
)	
Defendants.)	
_____)	

**DEFENDANT AND COUNTERCLAIM PLAINTIFF'S
REQUEST FOR TUTORIAL IN ADVANCE OF SUMMARY JUDGMENT**

Defendant and Counterclaim Plaintiff Voice Signal Technologies ("Voice Signal") intends to file an early motion for summary judgment of invalidity with respect to the patent asserted by ScanSoft.

Voice Signal's Motion for Summary Judgment is prompted by positions recently taken by ScanSoft in the *Scansoft, Inc. v. ART Advanced Recognition Technologies, Inc.* case pending before this Court. It requires no discovery and little or no claim construction. It is therefore ripe for briefing and decision and would, if successful, dispose of ScanSoft's case.

At the initial scheduling conference in this case, the Court indicated that it would be useful to the Court to have a tutorial on the technology in advance of being called upon to decide issues of claim construction or summary judgment. Voice Signal agrees that the Court will be better positioned to understand and decide Voice Signal's motion for Summary Judgment of invalidity if the parties are first permitted to provide the Court with a short tutorial on the

technology. Voice Signal requests that the Court schedule a tutorial and set a briefing schedule for Voice Signal's Summary Judgment motion. A hearing on ART Advanced Recognition Technologies' motion for Summary Judgment is currently scheduled for November 17, 2004. Voice Signal believes that a tutorial prior to that hearing would be most beneficial, and respectfully requests that the Court schedule the tutorial, at its convenience, prior to the November 17, 2004 Summary Judgment hearing.

Respectfully submitted,

VOICE SIGNAL TECHNOLOGIES, INC.

By its attorneys,

/s/ Paul D. Popeo

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Dated: October 13, 2004

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify that on October 13, 2004, counsel for the parties conferred by telephone in an effort to resolve the issues presented in this motion, and that the parties were unable to reach an accord.

/s/ Paul D. Popeo

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